

The Daily Gazetteer.

THURSDAY, DECEMBER II. 1735.

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N^o 142.

DEFENSIO FRANCISCI WALSHINGHAM.

Wherein due Notice is taken of what is delivered by a Writer of Fog's Journal, in a Pamphlet entitled, DEFENSIO CAROLI REGIS, &c.



HE learned Pamphlet which lies before me, and in which (if it answers its Title) due Notice is taken of what is delivered by BRITANNUS, WALSHINGHAM, &c. in several Gazetters, injurious to the Memory of CHARLES the First, was occasioned by a Paper of September the 25th, which I

published with the Title of *An Answer to the Libels, which aspersing the Measures of the present Government, set, That Charles the First, in the Business of SHIP MONEY, committed no Violation of the Law.*

I am of Opinion, that this excellent Apology for Conduct of that Reign, could proceed from no other than the sharp Pen of the Reverend Dr. Tr—p. The curious Reader would know the Character of the work more particularly, as to the Style, Erudition, and a Thousand other Ingredients, I beg him to pay out Six-pence, as I have done: But if he will be satisfied, at a less Price, with some Accounts of the Reasoning and Evidence, I will give him very faithfully, a Review of the Work, as it appears to me.

THE great Question between Fog and the Gazetteer Whether the Government now established, is admitted according to Law, and consistently with Liberty? This he denies, and this we affirm. The Enquiry is, What Government ever existing in this Nation, was administered according to Law, and consistently with Liberty? His Answer is, The Government of CHARLES the First; the Inference from which, lies in Favour of those who claim Hereditary Right to succeed in the Place of CHARLES the First. Such Pretenders appearing most likely to imitate his Policies, and to rule the Kingdom by his Measures of Government.

Such Doctrines made those Papers necessary, which have been offered to shew, that the Reign of CHARLES the First was one continued Scene of Violence, where the Regal Power was exercised against all Law and Liberty.

From this it will be evident to the most common Understanding, that a PRETENDER to the Crown, who claims in the Right, and treads in the Foot-steps of CHARLES the First, must naturally be an ENEMY to Law and Liberty.

The true State of the Controversy is now before the Reader, who will see that it hath no other Design or Intendency, than,

On the Part of FOG, to recommend the spurious Government of CHARLES the First, as necessary to restore the Government of that unfortunate Prince. And, On our Part, to shew that the Protestant Succession, as declared and established by Authority of Parliament, is the only Means in the World to preserve us from the worst Bondage which a People ever endured since JESUS came out of Egypt.

The Difference between Fog and the Gazetteer being opened and considered, we, who write with this Intention, are abundantly justified, and ought to be commended for exhibiting, in the strongest Lights, the worst, the Oppressions, and Acts of Injustice committed under the Government of CHARLES the First.

This Display of Tyranny is necessary, just and reasonable.

THAT the People of England may see and acknowledge the Difference between that former Government, and his Majesty's Enemies: applaud and even adore, when compared with that present, mild, and equal Government which they trade and defame;

THAT likewise this People may sensibly perceive the Series which must fall upon the Three Nations, if a Title should obtain, which is claim'd in Right of a Family, whose most boasted Examples of Piety and Virtue (which the last Age produced) were the worst Enemies of Publick Liberty and Violators of the Law, that any Country ever complained of;

AND, lastly, That the Views and Designs of those, who flatter the Memory of such unfortunate Princes,

or excuse the Crimes of their Administration, may be universally detested; since none can flatter the Memory or apologize for the Conduct of arbitrary Rulers, but such as would introduce the Pretenders to their Inheritance, or such as would erect, even under the Banners of a lawful Government, their enormous Schemes of lawless Power.

ON these Principles, I have endeavoured already to shew the Violations of Civil Right, committed by Authority of CHARLES the First, and I ought to observe, in answer to the Calumnies of the assuming Writer of the Defence before us, that the Gentleman who signs himself BRITANNUS, so far as he undertook to explain the Subject, discharged himself with the greatest Candour, Force and Clearness of Argument.

BUT as the Instances which have been hitherto offer'd, either by him or me, have been very few, though some of them very Capital, I therefore conceive, that I cannot render a more useful or necessary Service, either to his Majesty's Government, or to the People of England, than to give a more copious Detail of the Miseries which our Forefathers endured, and the Acts of arbitrary Power which were exercised upon them; wherein I propose to enumerate not every Oppression, since that would be undertaking to write the History of the Reign; but the great, bold, and giant Strokes, which were given in those Times by the Arm of Royal Prerogative to the Root of Liberty and Law.

THE Champion against us hath made use of variety of false Pretences to mislead the Judgment of the Reader, and prejudice him against the Relation of notorious Truth.

FOR, in the first Place, he terms it reproaching a King, who hath been near Ninety Years in his Grave.

I might shew the Unfairness and Folly of this Pretence, by insisting, that we do not reproach the Person, but the Councils of that unhappy Prince; that if these Councils tended to the Destruction of the whole People, we are not to flatter his Person, by absolving his Reign: And if the Imputation, or Influence of such an Example may again, in Times to come, have the same destructive Tendency, it is not from Malice to his Memory, but from a due Regard to our dearest Rights, that we censure his constant, his cruel, and cauteless Attempts to deprive us of them.

BUT he hath been dead and buried near ninety Years.

TRUE: And is it not full Time that his Reign should be freely examined, and impartially judged of? Or how shall we justify the infinite Number of Historians and Authors in Verse and in Prose, who have, in all Languages, reproached the CÆSARS, from JULIUS down to NERO, tho' these illustrious Personages have been in the Grave much longer than the consecrated Period of ninety, nay, some of them almost nineteen hundred Years?

WHENCE is it that CHARLES the First is intitled to such extraordinary Reverence? Or whence can his Government be sacred from all Enquiry, because he hath been near ninety Years in his Grave? KING WILLIAM, who hath not been dead Four and thirty, is already, without Privilege either for his publick Character, or his private Life; the Form of his Person, and the Features of his Face are still the Subjects of Jacobite Libels, in common with his brave and immortal Expedition to preserve our Religious and Civil Liberties. He is still pursued with outrageous Abuse, not only in the Heirs of his Crown, but in every Relation to his Blood; inasmuch, that when a Prince of ORANGE was, by the concurring Choice of his Majesty and all his People, invited to ally himself in Marriage with the PRINCESS ROYAL of Great Britain, he found himself saluted on his first Arrival, by a Libel in FOG, defaming all the Princes of the House of ORANGE, from the FIRST WILLIAM, who rescued the United Provinces, to the LAST Hero of the Name, who saved the British Nation.

THERE is this Distinction between Enquiries into the Errors of the STUARTS, and Invektives against the HOUSE OF ORANGE, that such Enquiries are only opposite to the Interests of Tyranny; whilst those Invektives are meant to disgrace the sacred Cause of LIBERTY. To display the Enormities of CHARLES the First's Administration, must make that Government sacred which excludes every Pretender who claims his Right, or would be thought to copy his Example. An on the contrary, to arraign the Justice of the Revolution, or to

vilify the Measures of King WILLIAM's Government, must strike at the Basis of the present Settlement, and of the Protestant Succession.

IT is therefore a shameless, senseless Absurdity, an Affront to the Rights of Nations and the Reason of Mankind, to suggest, that Englishmen are not at Liberty to vindicate the English Constitution against the Violations and Oppressions of CHARLES the First's Reign.

ANOTHER false Art industriously and insolently practised by this Writer of Defences, is, that he throws out the Charge, in every Page, of writing in the Language of REBELS; an Accusation which speaks the Language of a SLAVE. And, to prove this, he avers, that we borrow Facts from the Remonstrances of the Parliament which took up Arms against CHARLES the First; as if the Imposition of Ship Money, and the Demand upon the House of Commons to deliver up their Free Members, were not Violations of Law, because they are complained of in the Remonstrances of that Parliament.

TO be more particular in the Discussion of this Point. — I did not cite the Remonstrances, but the ACTS of that Parliament, which were passed by the Royal Assent; nor were ever repealed, but are in Force at this Hour. Now, it is declared in one of these Acts, That the Business of SHIP MONEY, and all the Proceedings thereupon, were and are contrary to, and against the LAWS and Statutes of this Realm, the RIGHT OF PROPERTY, the LIBERTY OF THE SUBJECTS, former Resolutions of Parliament, and the PETITION OF RIGHT made in the third Year of the same Reign.

AFTER then this ACT of Parliament hath so solemnly adjudged a Violation of Law, to say, that the Charge of such Violations committed by the Power of the Crown in that Reign, is the Language and Doctrine of none but REBELS. — With what Words shall I pour out the Indignation which is due to Impudence of such Corinthian Complexion, which treats the ACT of the whole Legislature as an ACT OF REBELLION, and terms the three concurring Powers, the King, the Lords, and Commons of England, even by the Name of REBELS.

I had cited the express Words of the noble and deserving EARL of CLARENDON, who, speaking of the Violations of Law practised in the Administration of CHARLES the First's Government, says,

THAT any Disrespect to any Act of State, and to the Persons of Statesmen, was, in no Time, more penal; and those FOUNDATIONS OF RIGHT, by which Men valued their Security, were, to the Apprehension and Understanding of wise Men, never more in Danger to be destroyed.

WHAT says the Defence Writer in Answer to this? Why, he still says we speak in the Language of REBELS. Bafe and unjust, beyond Example, to the Memory of the Noble Historian! who, tho' he suffered every Calamity in the Service of CHARLES the First; who, tho' he contributed, by his Counsels, more than Monk by his Arms, to restore CHARLES the Second, and having spent his Life in Banishment, to follow the Fortunes of that Prince, ended it in the same melancholy Exile, thro' his faithless and barbarous Ingratitude; yet, by prodigious Honour and Constancy of Mind, when driven from his Country, by that ungenerous Master whom he had brought hither; spun out the Remains of his Life, in the Vindication of that Family, and under the Oppressions which he suffered from their Injustice, compiled that History, which is the Bulwark of their Cause: After that this great honest Man, with all his Merits and Sufferings, hath deserved so well of their Friends, is a Citation from him to be loaded with the foul Slander of being the Language of REBELS? — Is this the Way of answering the Allegation, That the Reign of CHARLES the First was carried on in Enmity to Law and Liberty? — And when this noble Lord, who engaged more honest Men to support it than any other of the Party, was compelled to acknowledge, that the Foundations of Right were never more in Danger to be destroyed, than under the Government of that Prince; is it a sufficient Reply to say, that this was the Language of REBELS?

IF it be pretended, that the Lords and Commons assembled at Westminster, who published the Remonstrances which we are said to transcribe, were REBELS; I absolutely deny all such Pretences. I affirm, that no

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Law, or legal Judgment, ever declared them to be so. Nor nor the *Anti-Parliament* at Oxford, could be prevailed on by the King himself to fix that Reproach upon them; no, nor the *Restoration Parliament* ever treated them in that Style, nor brought upon them that Imputation. But, on the contrary, the *Act for the Attainder of several Persons for the Murder of Charles the First*, doth, in the strongest and fullest Manner, vindicate the Proceedings of the long Parliament, from the Charge of both Rebellion and Murder, by declaring, that such Murder were committed by a Party of wretched Men, who having first plotted the Ruin of the Monarchy, found it necessary to subvert the very Being and Constitution of Parliament, that so they might, at last, make their Way open for any farther Attempts upon the Person of the King himself. And when his Concessions had been voted a ground for Peace, they seized upon the House of Commons, secluded and imprisoned some Members, forced but others, and, there being left but a small Remnant of their own Creatures (not a tenth Part of the whole) did seek to shelter themselves, by this weak Pretence, under the Name and Authority of a Parliament.

THIS Act therefore distinguishes the Proceedings of the two Houses of Parliament, thro' the whole Course of the War, to the very Time of secluding the Members of the House of Commons. It declares them, by no Construction of Words, Rebels, or even Offenders; it declares, that subverting that identical Parliament, was the necessary Means to the Murder of the King, and the Ruin of the Monarchy; and it declares the Judgment of Infamy against those who seized upon that House of Commons, which, from the Beginning, had carried on the War.

THE Act of Oblivion and Indemnity is an Evidence to the same Effect. That Act reciting the Troubles, Disorders, and Wars which had been in the Kingdom, and which are, in no Part, or by any Implication of the Act, brought under the Charge or Terms of Rebellion (for the Word itself is no-where to be found in any of those Statutes.) It then goes on to provide, that none concerned in those Troubles or Wars, should have any Crime objected to them, to the least Indamagement of their Lives, Liberties, or Estates, or to the Prejudice of their Reputations.

WE have now the Authority of the Law on our Side, proving, that the Lords and Commons of that Parliament, which met in November 1640, were not Rebels, nor ought to be called Rebels; and as it is against Law to call their Acts, Remonstrances, or Votes, the Language of Rebels; I shall, upon all proper Occasions, appeal to the Journals of that Parliament, as legal and unexceptionable Evidence. I will add this Testimony further to their Vindication, that however tragically and deplorably the War, which they undertook, ended; yet, if they had not undertaken that War, we had been undone, and all Posterity lost. No Protestant King had been, at this Day, in the Throne; no House of Hanover; no Law or Liberty within the Dominions of Britain.

FRA. WALSINGHAM.

L O N D O N.

Yesterday arrived Two Mails from Flanders, and another from France.

They write from Amsterdam, that in pursuance of the late Resolution of the States of Holland concerning those People, who call themselves *Free Masons*, very severe Placarts have been publish'd against them in all the Towns both of Holland and West Friesland. Those published at Amsterdam are in Substance as follows:

Forasmuch as the Magistrates of the City of Amsterdam, have heard that there are Persons in it, who, under Pretence of being Members of a certain Society called *Free Masons*, have had the Assurance to form and frequent Conventicles and unlawful Assemblies upon that account, and that some have made use of their Houses and Lodgings for holding the said prohibited Assemblies: The Magistrates having it at Heart to take Care of the Tranquillity and Welfare of the City and its Citizens, have thought it proper and necessary, to forbid and prohibit all Persons in the said City and its Jurisdiction, as they are by these Presents forbidden and prohibited, to hold and frequent such unlawful Conventicles, whether with the Name of *Free Masons*, or any other specious Title which they may affect; as also to hire, lett, and make use of their Houses, Chambers, Barns, Cellars, Coach-houses, or other Places, for the holding of such Assemblies, under Pain of being severely punished, as Disturbers of the Publick Peace, &c.

The Amsterdamers were the first that took Cognizance of the Conventicles of these *Free Masons*, who, by the Secrecy they observed, and the mysterious Veil which they affected to put on, gave them Umbrage, and a Jealousy that their Transactions were no better than they should be; nay, the Populace had like to

have burnt one of their Lodges about their Ears; for they were almost ready to believe, that their Persons deserved no better Fate; tho', as to the Report that they aimed at introducing a Change in the Government, the same is only founded on Conjectures, which the Magistrates don't think it worth their while, either to confirm or confute.

A Gentleman of this City, distinguish'd in Committees of Publick Business relating thereto, on Wednesday last Week, gave an extraordinary Instance of his private Oeconomy. On his Attendance on the Publick Service, he happen'd to lose his Handkerchief, and adjourning afterwards to the Tavern, and missing it, he order'd 3 s. 6 d. to be charged to the Account of the Persons for whom he had been, with others, taking a View; having an equal Regard both to Private and Publick, and loth that either should suffer by the other. This would be too trifling a Matter to mention, if it did not make for the Honour of a Gentleman who shews such a Nicety in adjusting the Difference between the Publick and Private: And as he is somewhat concerned in a certain Worshipful Committee, who will have, probably, the Disposal of a great Sum of Money in a publick Edifice to be set about, no doubt but he will split Divisions so very much to every one's Satisfaction, that the Publick may expect a notable Account from his great Exactness.

Yesterday the Sessions began at the Old Bailey, when 22 Prisoners were tried, one of whom was capitally convicted, viz. Joseph Cole, for breaking open the House of John Chamberlain, and stealing Goods to the Value of 15 l.

Four were cast for Transportation, and 17 acquitted.

Yesterday Bank Stock was 146. India 166 1-half. South Sea 92 3-4ths. Old Annuity 108 1-half. New ditto 109 3-8ths. Three per Cent. 98 5-8ths. Emperor's Loan 107. Royal Assurance 102. London Assurance 13. York Buildings 2 1-4th. African 15. India Bonds 51. 8 s. Prem. Three per Cent. ditto 31. 12 s. Prem. South Sea Bonds, no Price. New Bank Circulation 51. Prem. Salt Tallies 41. Premium. English Copper 21. 1 s. Welsh ditto, Books shut. Three 1-half per Cent. Exchequer Orders 3 1-4th per Cent. Prem. Million Bank 109 1-half.

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- IV. Part II. of the same.
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Thus saith the Lord, Stand ye in the Ways and see, and observe the OLD Paths, where is the good Way, and walk therein, and ye shall find Rest for your Souls. Jen. vi. 16.

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